

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET													
CR No: 24-369 DHU				USA vs.: Abeyta									
Date: 2/11/25				Name of Deft: Robert Abeyta									
Before the Honorable: David Herrera Urias													
Time In/Out:		10:03-11:23 AM				Total Time in Court (for JS10):				1 hour 20 minutes			
Clerk:		J. Gonzales				Court Reporter:				C. McAlister			
AUSA:		Margaret Tomlinson				Defendant's Counsel:				Dennis Candelaria			
Sentencing in:		ABQ				Interpreter:							
Probation Officer:		Daniella Martinez				Interpreter Sworn?				Yes		No	
Convicted on:		<input checked="" type="checkbox"/> Plea				Verdict		As to:		<input checked="" type="checkbox"/> Information		<input type="checkbox"/> Indictment	
If Plea:		<input type="checkbox"/> Accepted		<input type="checkbox"/> Not Accepted		Adjudged/Found Guilty on Counts: 1							
If Plea Agreement:		<input checked="" type="checkbox"/> Accepted		<input type="checkbox"/> Not Accepted		<input type="checkbox"/> No Plea Agreement		Comments:					
Date of Plea/Verdict:		9/30/24		PSR:		<input checked="" type="checkbox"/> Not Disputed		<input type="checkbox"/> Disputed		<input checked="" type="checkbox"/> Courts adopts PSR Findings			
Evidentiary Hrg:		<input checked="" type="checkbox"/> Not Needed		<input type="checkbox"/> Needed		Exceptions to PSR:							
<b>SENTENCE IMPOSED</b>				Imprisonment (BOP):		102 months							
Supervised Release:		3 years						Probation:					
REC	<input checked="" type="checkbox"/>	500-Hour Drug Program		<input type="checkbox"/>		BOP Sex Offender Program		Other:					
ICE	<input type="checkbox"/>	Court recommends ICE begin removal proceedings immediately or during service of sentence								<input type="checkbox"/>		ICE not applicable	
<b>SPECIAL CONDITIONS OF SUPERVISION</b>													
		No re-entry without legal authorization						Home confinement for		months		days	
		Comply with ICE laws and regulation						Community service for		months		days	
<input checked="" type="checkbox"/>		Participate in outpatient substance abuse treatment program						Reside halfway house		months		days	
		Participate in/successfully complete mental health program						Register as sex offender					
		Refrain from use/possession of alcohol/intoxicants						Participate in sex offender treatment program					
<input checked="" type="checkbox"/>		Submit to search of person/property						Possess no sexual material					
<input checked="" type="checkbox"/>		No contact with victim(s)						No computer with access to online services					
		No entering or loitering near victim's residence						No contact with children under 18 years					
		Provide financial information						No volunteering where children supervised					
		Grant limited waiver of confidentiality						Restricted from occupation with access to children					
<input checked="" type="checkbox"/>		Refrain from use and possession of synthetic cannabinoids, etc.						No loitering within 100 feet of school yards					
		No possession of a firearm, ammunition, destructive device or any other dangerous weapon						Participate in an educational or vocational program approved by the Probation Officer					
<p>You shall waive your right of confidentiality-substance abuse</p> <p>You must submit to substance abuse testing to determine if you have used a prohibited substance. Testing shall not exceed more than 60 test(s) per year.</p> <p>You must not use or possess alcohol. You may be required to submit to alcohol testing that may include urine testing, a remote alcohol testing system, and/or an alcohol monitoring technology program to determine if you have used alcohol. Testing shall not exceed more than 4 test(s) per day.</p> <p>You must participate in and successfully complete a community-based program which provides education and training in anger management.</p> <p>You must participate in and successfully complete a community-based program which provides education and training in parenting.</p> <p>OTHER:</p>													
Fine: \$		0.00				Restitution: \$		Open for 90 days					
SPA: \$		100.00				Payment Schedule:				Due Immediately		<input type="checkbox"/> Waived	
Consistent with a stipulation in the Plea Agreement, the defendant forfeits his rights, title, and interest in a Taurus 9mm pistol, bearing serial number TKS535.													
		Advised of Right to Appeal		<input checked="" type="checkbox"/>		Waived Appeal Rights per Plea Agreement							

	Held in Custody	<b>X</b>	Voluntary Surrender-60 days
<b>X</b>	Recommended place(s) of incarceration: FCI Dansbury, CT		
	Dismissed Counts:		
<p>Mr. Candelaria requests acceptance of plea agreement-requests 84-month sentence. Ms. Tomlinson requests high end guideline sentence. M. A. addresses Court. B.M. addresses Court. K.M. addresses Court. Defendant addresses Court.</p> <p>OTHER COMMENTS: Mr. Candelaria requests designation and self-surrender.</p>			